

### **REMARKS**

Claims 1-20 are pending in this application. By this paper, the Applicant amends claims 1, 8, 11, 12, 15, and 19. Claims 7 and 20 have been canceled. New claims 21 -23 have been added. No new subject matter has been added.

The Applicant thanks the Examiner for conducting a telephone interview on February 12, 2008. The Applicant explained that although the Tridgell reference describes cache components in general, Tridgell does not teach or suggest the use of cache for storing file checking data as required by the pending claims. The Applicant noted that Tridgell, at page 54, first paragraph, suggests that the algorithm used for generating file checking data (MD4) did not create a significant computational "bottleneck." This implies that the Tridgell reference does not contemplate the need to cache the file checking data, since repeated calculation of the file checking data does not present a problem.

Further, the Applicant noted that the Tridgell cites to which the Examiner refers to (page 92-95, sections 5.3 and 5.5) describe prior art caching web servers, which store entire files and not the file checking data recited in the pending claims (see, in particular, page 93, section 5.4, second paragraph, "caching servers must fetch the whole page every time, even if only a small part of the page changes.").

The Applicant amends independent claims 1, 8, 11, 12, 15, and 19 to more particularly claim the invention with respect to generating file checking data both at the client computer and server. In particular, the amended claims now recite separating the target file into a header and payload and decompressing blocks of target data payload prior to calculating or generating file checking data. Further, the amended claims recite the construction of a seed file to maximize similarities with the target file and doing so using existing files that are locally stored. This amendment is supported at least at paragraph [0027] and [0028] and FIG.3, FIG. 4 and the related descriptions of the figures in paragraphs [0020-0030] as well as in the Abstract of the published application (US 2005/0071371). Additionally, rationale for performing decompression prior to generating file checking data can be found, for example, at paragraph [0008].

Claims 1-3, 5, 7-9, 11-13, 15, 16 and 18-20 have been rejected under 35 U.S.C. 102(b) as being anticipated by “Efficient Algorithms for Sorting and Synchronization” by Tridgell.

As articulated before, the claims 1, 8, 11, 12, 15, and 19 have been amended to recite limitations regarding the generation of the file checking data both in the client computer (seed file) as well as in the server (target-file).

Tridgell does not teach or suggest the generation of this file checking data as required by the amended claims, for example:

1. *(Currently amended) A method for updating a seed file to match a target file, said method comprising:*

*separating said target file into a header portion and a target file payload;*  
*generating target file checking data for one or more blocks of said target file payload, wherein the generating includes, for each of the one or more blocks of said target file payload, retrieving the block from memory, decompressing the block of said target file payload, and calculating file checking data based on the decompressed block of said target file payload;*

*storing at least a portion of said target file checking data in a cache, wherein the cache is part of a non-volatile storage device;*

*receiving seed file checking data corresponding to one or more blocks of said seed file, wherein said seed file checking data is based on a decompressed version of the one or more blocks of said seed file;*

*comparing said seed file checking data with said target file checking data to identify differences in blocks of said seed file and blocks of said target file; and*  
*transmitting information for revising seed file blocks which are different from target file blocks such that said seed file blocks match said target file blocks.*

and,

11. (Currently amended) *A method for updating a seed file to match a target file, said method comprising:*

*constructing said seed file to maximize similarities with said target file;*

*generating seed file checking data for one or more blocks of said seed file,*

*wherein said seed file checking data is based on a decompressed version of the one of the one or more blocks of said seed file;*

*transmitting said seed file checking data for comparison against cached target file checking data corresponding to one or more blocks of said target file to identify differences in blocks of said seed file and blocks of said target file, wherein the cached target file checking data is cached in a cache that is part of a non-volatile storage; and*

*receiving information for revising seed file blocks which are different from target file blocks such that said seed file blocks match said target file blocks.*

Further, Tridgell does not teach or suggest storing file checking data in a cache, wherein the cache is part of a non-volatile storage device, as required by the pending independent claims.

Claims 4, 6, 10, 14 and 17 have been rejected under 35 U.S.C. 103(a) over Tridgell.

Amended claims 1, 8, 11, 12, 15, and 19, and new claims 21-23 are not obvious in view of Tridgell as Tridgell does not teach or suggest the limitations of the claims.

In particular, Tridgell teaches away from at least the limitation that requires the storage of file checking data in cache is a non-volatile storage device.

Remaining dependent claims 2-6, 9 -10, 13-14 and 16-18 should also be allowable since they depend from allowable base claims.

The Commissioner is hereby authorized to charge Deposit Account 08-0219 the Request for Continued Examination fee of \$810.00, the one-month extension of time fee of \$120.00, and \$50.00 for the extra claim fee.

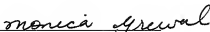
No other fees are believed to be due in connection with the filing of this response, however the Commissioner is authorized to debit Deposit Account No. 08-0219 for any required fee necessary to maintain the pendency of this application.

Applicants request the Examiner enclose an initialed copy of the SB/08 filed December 17, 2008, with the next communication.

In view of the above amendment, applicant submits that the pending application is in condition for allowance and requests such action.

Respectfully submitted,

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Monica Grewal  
Registration No.: 40,058  
Attorney for Applicant(s)

Wilmer Cutler Pickering Hale and Dorr LLP  
60 State Street  
Boston, Massachusetts 02109  
(617) 526-6000 (telephone)  
(617) 526-5000 (facsimile)